

1 UNITED STATES DISTRICT COURT

2 NORTHERN DISTRICT OF CALIFORNIA

3 Before The Honorable Thomas S. Hixson, Magistrate Judge

4
5 EPIC GAMES, INC.,)

6 Plaintiff,)

7 vs.)

Case No. C 20-05640-YGR

8 APPLE, INC.,)

9 Defendant.)

10
11 Oakland, California
Friday, March 28, 2025

12 TRANSCRIPT OF PROCEEDINGS OF THE OFFICIAL ELECTRONIC SOUND
13 RECORDING 1:04 - 1:08 = 4 MINUTES

14 APPEARANCES:

15 For Plaintiff:

16 Cravath, Swaine & Moore, LLP
375 Ninth Avenue
New York, New York 10001
17 BY: YONATAN EVEN, ESQ.

18 For Defendant:

19 Weil, Gotshal & Manges, LLP
2001 M Street, NW
Suite 600
Washington, D.C. 20036
20 BY: MARK A. PERRY, ESQ.

21
22 Transcribed by:

Echo Reporting, Inc.
Contracted Court Reporter/
Transcriber
echoreporting@yahoo.com

1 Friday, March 28, 2025

1:04 p.m.

2 P-R-O-C-E-E-D-I-N-G-S

3 --oOo--

4 THE CLERK: All right. We are here in Civil
5 Action 20-5640, Epic Games, Inc. versus Apple, Inc.

6 Counsel, please state your appearances. Let's start
7 with Plaintiff's counsel.

8 (Pause.)

9 THE COURT: You're muted.

10 MR. EVEN (via Zoom): My apologies. Yonatan Even
11 for Epic Games. Good afternoon, your Honor.

12 THE COURT: Good afternoon.

13 MR. PERRY (via Zoom): Good afternoon, your Honor.
14 Mark Perry for Apple.

15 THE COURT: Good afternoon.

16 The parties have filed a status report, which I
17 appreciate. Epic has estimated that the special masters
18 will conclude their review by the end of May.

19 Does Apple agree with that estimate?

20 MR. PERRY: I believe that's correct, your Honor,
21 based on the current pace. The -- the three of them are
22 going at somewhat different paces. I think May is the
23 latest date if it stays on the current pace. We have not
24 discussed whether the special masters would be willing to
25 reallocate. In other words, some of them may finish earlier

1 than the others.

2 THE COURT: Okay. Understood. I would like to
3 know when the special master review has been completed and
4 when any and all objections that -- that will be filed have
5 been filed, just so I know when this process has concluded.
6 My expectation is that once the special masters are done,
7 the objections would be filed within a certain number of
8 days. Let me ask -- after that conclusion.

9 Does that sound right to Epic?

10 MR. EVEN: It does, your Honor. We have deadlines
11 under the protocol after which we have to object. I think
12 the -- the most we have is essentially four days after
13 redacted documents are produced to us. That's the longest
14 -- kind of the -- the longest pull, and -- and I can
15 calculate, but I think that's 11 or 12 days after any ruling
16 will have happened.

17 THE COURT: And does Apple agree with that
18 scheduling description?

19 MR. PERRY: Yes, your Honor.

20 THE COURT: Okay. Then once the -- the -- once
21 the special master review is complete and once the deadline
22 to file any objections has expired, I direct the parties to
23 file a notice that -- that the special master review is
24 completed, and the deadline for submitting any objections
25 has passed, so I know that we have reached that point.

1 MR. EVEN: Understood.

2 MR. PERRY: Understood.

3 THE COURT: And I realize that neither side had
4 any issues to raise in their status report, but maybe
5 something has developed since then.

6 Let me turn to Epic. Are there any further points you
7 would like to discuss?

8 MR. EVEN: Nothing from our end, your Honor.

9 THE COURT: And how about from Apple?

10 MR. PERRY: Nothing from Apple, your Honor.

11 THE COURT: Do the parties think I should put
12 another discovery conference on the calendar for two weeks
13 from now, and then we can take it off calendar if there's no
14 need to have it?

15 MR. EVEN: I think that's reasonable, your Honor.
16 I -- I expect we'll be able to take it off, but I -- I see
17 no harm in putting it on, and we can take it off under
18 mutual agreement if that's the case.

19 THE COURT: And what does Apple think?

20 MR. PERRY: That -- that's fine with Apple, your
21 Honor.

22 THE COURT: Okay. Then two weeks from today will
23 be Friday, April 11th. That day is not good for me. What
24 if we did the following Friday, April 18th? Would that work
25 for Epic?

1 MR. EVEN: That -- it would, your Honor.

2 THE COURT: And for Apple?

3 MR. PERRY: Yes, your Honor.

4 THE COURT: Then we will schedule a further
5 discovery conference for Friday, April 18th at 1:00 p.m.
6 Pacific Time, and I ask the parties to please file a status
7 report by the end of the day on April 17th.

8 Is there anything further from Epic before we conclude
9 this hearing?

10 MR. EVEN: Nothing from Epic. Thank you, your
11 Honor.

12 THE COURT: And anything further from Apple?

13 MR. PERRY: Nothing from Apple. Thank you, your
14 Honor.

15 THE COURT: All right. Well, thank you, Counsel.
16 The matter is submitted.

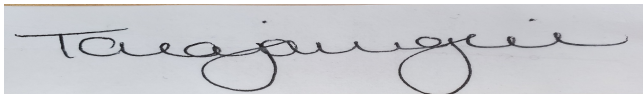
17 THE CLERK: Thank you, everyone. We're off the
18 record in this matter.

19 (Proceedings recessed at 1:08 p.m.)
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CERTIFICATE OF TRANSCRIBER

I certify that the foregoing is a true and correct transcript, to the best of my ability, of the above pages of the official electronic sound recording provided to me by the U.S. District Court, Northern District of California, of the proceedings taken on the date and time previously stated in the above matter.

I further certify that I am neither counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken; and, further, that I am not financially nor otherwise interested in the outcome of the action.



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